



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s):

Peter D. Gluckman

Application No.: 09/910,461

Confirm. No.: 2772

Filed: July 20, 2001

Title: USE OF GPE TO PROTECT GLIAL CELLS  
OR NON-DOPAMINERGIC CELLS FROM  
DEATH FROM NEURAL INJURY OR  
DISEASEPATENT APPLICATION

Art Unit: 1639

Examiner: Bennett M. Celsa

Customer No. 23910

## CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being transmitted by facsimile to the Commissioner for Patents, the United States Patent and Trademark Office, ISSUE FEE Division (703) 746-4000, on May 10, 2004.

D. Benjamin Borson, Ph.D., Reg. No. 42,349

Signature Date: May 10, 2004

## NOTICE REGARDING ENTITY STATUS OF APPLICANT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please note that applicant is a small entity and is therefore paying the issue fee for a small entity of \$665.00 authorized for payment through deposit account no. 06-1325.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: May 10, 2004By: *D. Benjamin Borson*

D. Benjamin Borson, Ph.D.  
Reg. No. 42,349

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- 1 -

Attorney Docket No.: NRNZ 1002 US4 DBB  
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## COMMENTS IN REPLY TO REASONS FOR ALLOWANCE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This response is in reply to the Reasons of Allowance by the Examiner mailed with the Notice of Allowance dated April 7, 2004.

Applicants would like to clarify that the "Sarah" reference cited in the Reasons for Allowance is European Patent Application EP 0 366 638, listing Vicki Rubian Sara as Inventor. Further, none of the art of record anticipates any claim, either expressly or inherently, or renders any claim obvious, either alone or in combination.

Respectfully submitted,

Date: May 10, 2004

By:

D. Benjamin Borson, Ph.D.  
Reg. No. 42,349

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PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031  
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**TRANSMITTAL FORM**

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Total Number of Pages in This Submission

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Application Number	09/910,461
Filing Date	7/20/2001
First Named Inventor	Peter David Gluckman
Art Unit	1639
Examiner Name	Bennett M. Celsa
Attorney Docket Number	NRNZ-01002US4

ENCLOSURES (Check all that apply)			
<input checked="" type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Remarks _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):	1. Statement Regarding Entity Status and 2. Comments In Reply to Reasons for Allowance

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	D. Benjamin Borson Fliesler Meyer LLP	Customer Number: 23910
Signature	<i>D. Benjamin Borson</i>	Reg. No.: 42,349
Date	May 10, 2004	

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	D. Benjamin Borson		
Signature	<i>D. Benjamin Borson</i>	Date	May 10, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket No.: NRNZ-1002 US4 DBB